

RECEIVED
CENTRAL FAX CENTER

APR 25 2007

Appl. No. 10/736,863
Amendment dated 3/23/2007

Remarks:

As an initial matter, Applicants wish to thank the Examiner for the courtesy of the interview conducted March 23, 2007.

In the Final Office Action dated January 31, 2007, the Examiner withdrew claims 50 and 51 from further consideration as drawn to a non-elected invention. In response, Applicants have canceled the claims without prejudice, reserving the right to pursue the claims in a continuation application.

Also in the Office Action, the Examiner rejected claims 29-32, 34-38 and 40-49 under 35 USC §102 and/or §103 based on Balat et al. (US 4,258,724). In response, Applicants have amended independent claims 29, 35 and 41 to more clearly distinguish over the cited art. Specifically, the independent claims have been amended to recite that the lumen of the lead extends from a proximal entry port to a distal exit port, and that the tether extends through the proximal entry port and the lumen of the lead. These features are neither disclosed nor fairly taught by Balat et al.

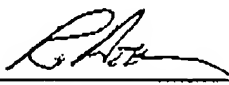
As a side note, Applicants reserve the right to contest the finality of the present Office Action. The finality of the Office Action appears to be based on the status of the claims erroneously indicated in the Preliminary Amendment filed October 2, 2006. In the Preliminary Amendment, the listing of the claims did not include the claim amendments made June 20, 2006. However, because it appears that the current Office Action is based on the status of the claims erroneously indicated in the Preliminary Amendment, the present Amendment assumes the same and is thus a repeat of the claim amendments and remarks made June 20, 2006.

Appl. No. 10/736,863
Amendment dated 3/23/2007

Reconsideration and allowance of all pending claims is respectfully requested. Any inquiry regarding this matter may be directed to the undersigned representative at (612) 226-3874.

Respectfully submitted,
Atkinson et al.
By their attorney,

Date: 3/23/07


Robert E. Atkinson
Reg. No. 36,433